

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DARON F. BROOKER,

Plaintiff,

vs.

MARTIN J. O'MALLEY,
Commissioner of Social Security
Administration,

Defendant.

CV 23-108-BLG-TJC

ORDER

On August 30, 2024, the Court remanded this case to the Commissioner for an award of benefits. (Doc. 19.) That same day, the Clerk of Court entered a separate judgment. (Doc. 20.)

Plaintiff has filed an unopposed application for an award of attorney's fees and costs under the Equal Access to Justice Act ("EAJA"). (Doc. 21.) The parties stipulate to an award to Plaintiff of \$9,393.41 in attorney's fees and \$402.00 in costs.

Accordingly, IT IS HEREBY ORDERED that Plaintiff is awarded attorney fees in the amount of \$9,393.41 and costs of \$402.00 in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA in this case, and will satisfy all of Plaintiff's claims for fees, costs and expenses under 28

U.S.C. § 2412 in this case. This award is subject to offset to satisfy any preexisting debt that Plaintiff owes the United States pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), and the Treasury Offset Program, 31 U.S.C. § 3716. If the government determines Plaintiff does not owe a federal debt, then the government shall cause the payment of the award to be made directly to Plaintiff's counsel.

DATED this 31st day of October, 2024.



TIMOTHY J. CAVAN
United States Magistrate Judge